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4 UNITED STATES DISTRICT COURT  
5 WESTERN DISTRICT OF WASHINGTON  
6 AT TACOMA

7 JOHN E. BARNHOUSE,

8 Plaintiff,

9 v.

10 ELDON VAIL, *et al.*,

11 Defendants.

No. C09-5154 RJB/KLS

ORDER DENYING MOTION TO STAY

12 Before the court is Plaintiff's Motion to Stay All Proceedings. Dkt. 108. Mr. Barnhouse  
13 requests the stay because he states that he has filed an appeal, a motion to recuse, and that he will  
14 be unable to respond to any filings until after March 31, 2010, when he will be released from  
15 prison and will regain access to legal files that week. *Id.* There is no basis for staying this action  
16 pending the filing of an interlocutory appeal and Plaintiff's motion to recuse the undersigned has  
17 been denied. Dkt. 111. In addition, there are no motions presently pending in this case or  
18 deadlines requiring Plaintiff to file anything with the Court prior to March 31, 2010.

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20 Accordingly, Plaintiff's Motion to Stay All Proceedings (Dkt. 108) is **DENIED**. The  
21 Clerk shall send copies of this Order to Plaintiff and counsel for Defendants.

22  
23 DATED this 8th day of March, 2010.

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26 Karen L. Strombom  
United States Magistrate Judge